

REMARKS

The restriction of claims 1-5 under 35 U.S.C. § 121 is respectfully traversed. It is respectfully submitted that further restriction of claims 1-5 into four allegedly distinct groups is excessive, since Groups 1-4 are intimately related as being drawn to compounds that are pro-forms of hesperetin having enhanced bioavailability compared to unmodified hesperetin. In particular, claims 1-5 are drawn to compounds wherein the 7 and 3' hydroxyl groups of hesperetin are modified by well-defined hydrophilic moieties or lipophilic moieties. Indeed, the Examiner has classified each of claims 1-5 in the same class (549) and has even classified claims 2, 3, and 5 in the same subclass (381). Clearly, a prior art search of any one of these groups, which are all drawn to modified forms of hesperetin, would necessarily entail a search of each of the other groups. Thus, no savings of PTO resources will be realized if restriction is maintained as asserted. Accordingly, reconsideration of the requirement for restriction is respectfully requested.

Alternatively, Applicants request rejoinder of Group 1 (i.e., claims 1 and 4 drawn to phosphate modified hesperetin) and Group 2 (i.e., claims 1 and 4 drawn to sulfate modified hesperetin). Those skilled in the art recognize that phosphate and sulfate are both moieties that impart hydrophilic properties to the modified hesperetin. In addition, it is well established that phosphate (PO₄) and sulfate (SO₄) are structurally similar and exhibit similar reaction chemistry. As a result, those skilled in the art would readily acknowledge that phosphate modified hesperetin (Group 1) and sulfate modified hesperetin (Group 2) are related by a "commonality of operation, function, and effect" (see MPEP § 806.04(e)). Clearly, the Group 1 species and the Group 2 species could be considered in the same application.

In order to be fully responsive, Applicants elect claims 1 and 4 drawn to compounds wherein R is phosphate and R1 is -H.

The Examiner is invited to contact Applicants' undersigned representative if there are any questions relating to this application. No fee is due in connection with this Response to Restriction

Requirement. If any fee is due in connection with the filing of this Response, the Commissioner is authorized to charge any fee (or credit any overpayment) to Deposit Acct. No. 50-1355.

Respectfully submitted,

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